

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

13 This is a habeas action brought pursuant to 28 U.S.C. § 2254. Petitioner's federal  
14 habeas petition is currently ripe for consideration. However, upon review of the submissions  
15 of the parties, this Court discovered that it is not in possession of the state court record. It is  
16 unclear whether the record was simply never received by the Court or whether it was received  
17 by the Court and subsequently misplaced. Regardless, however, the Court is unable to proceed  
18 to disposition of petitioner's federal habeas petition until it has the state court record available  
19 for review.

20 | Accordingly, the Court does hereby ORDER as follows:

21 (1) Respondent shall submit all relevant portions of the state court record to this  
22 Court for review not later than *April 23, 2010*.

(2) Petitioner's federal habeas petition (Dkt. No. 5) is RENOTED on the Court's calendar for consideration on *April 23, 2010*.

(3) The Clerk is directed to send copies of this Order to petitioner, to counsel for respondent, and to the Hon. John C. Coughenour.

DATED this 13th day of April, 2010.

Mary Alice Theiler  
Mary Alice Theiler  
United States Magistrate Judge